

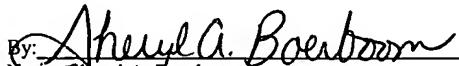
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER		ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
		CLASS	SUBCLASS	EXAMINER	ART UNIT
11669.78USC1		435	069100	R. ZEMAN	1645

## CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 347834371 US  
Date of Deposit: October 15, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
Name: Sheryl A. Boerboom

## CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 09/291,925, filed on April 14, 1999, which claimed priority to U.S. provisional application Serial No. 60/082,002, filed April 16, 1998, which claimed priority to U.S. provisional application Serial No. 60/123,522, filed March 8, 1999, entitled PROTEIN SECRETION by the following inventor(s):

Full Name Of Inventor	Family Name ASHKENAZI	First Given Name AVI	Second Given Name J.
Residence & Citizenship	City SAN MATEO	State or Foreign Country CALIFORNIA	Country of Citizenship US
Residence Address	Address 1456 TARRYTOWN STREET	City SAN MATEO	State & Zip Code/Country CALIFORNIA 94402/USA
Post Office Address	Post Office Address 1 DNA WAY	City SOUTH SAN FRANCISCO	State & Zip Code/Country CALIFORNIA 94080/USA
Full Name Of Inventor	Family Name BERMAN	First Given Name PHILLIP	Second Given Name W.
Residence & Citizenship	City PORTOLA VALLEY	State or Foreign Country CALIFORNIA	Country of Citizenship US
Residence Address	Address 95 CHEYENNE PT.	City PORTOLA VALLEY	State & Zip Code/Country CALIFORNIA 94028/USA
Post Office Address	Post Office Address 1000 MARINA BOULEVARD	City BRISBANE	State & Zip Code/Country CALIFORNIA 94005/USA
Full Name Of Inventor	Family Name BROUSSEAU	First Given Name DAVID	Second Given Name
Residence & Citizenship	City SAN FRANCISCO	State or Foreign Country CALIFORNIA	Country of Citizenship US
Residence Address	Address 1274 43RD AVENUE	City SAN FRANCISCO	State & Zip Code/Country CALIFORNIA 94127/USA
Post Office Address	Post Office Address 1 DNA WAY	City SOUTH SAN FRANCISCO	State & Zip Code/Country CALIFORNIA 94080/USA

101503  
17648

First Name Of Inventor	Family Name ETCHEVERRY	First Given Name TINA	Second Given Name
Residence & Citizenship	City BERKELEY	State or Foreign Country CALIFORNIA	Country of Citizenship US
Residence Address	Address 1471 GREENWOOD TERRACE	City BERKELEY	State & Zip Code/Country CALIFORNIA 94708/USA
Post Office Address	Post Office Address 1 DNA WAY	City SOUTH SAN FRANCISCO	State & Zip Code/Country CALIFORNIA 94080/USA

1.  Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 36 pages of specification, 33 claims, 1 page of abstract, 9 sheets of drawings, and 6 pages of oath or declaration.
2.  The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
3.  Cancel original claims 2-46 of this application without prejudice before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
4.  The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA	RATE	FEES
<b>TOTAL CLAIMS:</b> 20	0	x \$18.00	\$0.00
<b>INDEPENDENT CLAIMS</b> 5	2	x \$172.00	\$172.00
<b>BASIC FILING FEE:</b>			\$770.00
<b>TOTAL FILING FEE:</b>			\$942.00

5.  Small entity status is claimed pursuant to 37 CFR 1.27.
6.  Payment of fees:
  - Attached is a check in the amount of \$942.00
  - Please charge Deposit Account No. 13-2725.
7.  The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
8.  Amend the specification by inserting before the first line the sentence:
 

"This application is a continuation of application Serial No. 09/291,925, filed April 14, 1999, which claimed priority to U.S. provisional application Serial No. 60/082,002, filed April 16, 1998, which claimed priority to U.S. provisional application Serial No. 60/123,522, filed March 8, 1999, which application(s) are incorporated herein by reference."
9.  A set of formal drawings (9 sheets) is enclosed.

8.  Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.  
 The certified copy has been filed in prior application Serial No. , filed .

9.  The prior application is assigned of record to Genentech, Inc. located at 1 DNA Way, South San Francisco, California.

10.  The Power of Attorney in the prior application is to:

Merchant & Gould P.C.  
Minneapolis, MN 55402-2215

11.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)  
 Fee for excess claims is attached.

12.  A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.

13.  The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

14.  A Nonpublication Request under 37 CFR 1.213(a) is enclosed.

15.  Also Enclosed: Power of Attorney; Communication Regarding Sequence Listing with attached Sequence Listing; and Communication Pursuant to 37 CFR § 1.821(e).

16.  Address all future communications to the **Attention of Katherine M. Kowalchyk** (may only be completed by attorney or agent of record) at the address below.

17.  A return postcard is enclosed.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

23552  
PATENT TRADEMARK OFFICE

Date: Oct - 15, 2003

Katherine M. Kowalchyk  
Katherine M. Kowalchyk  
Reg. No. 36,848  
Kkowalchyk:sab